



## COUNCIL MINUTES

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### LITCHFIELD COUNCIL MEETING

Minutes of Ordinary Meeting  
held in the Council Chambers, Litchfield  
Monday 24 April 2023 at 6:00pm

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<b>Present</b>	Doug Barden	Mayor (Chair)
	Andrew Mackay	Deputy Mayor / Councillor Central Ward
	Emma Sharp	Councillor South Ward ( <i>electronically</i> )
	Mathew Salter	Councillor North Ward
	Kevin Harlan	Councillor Central Ward
	Mark Sidey	Councillor South Ward
<b>Staff</b>	Stephen Hoyne	Chief Executive Officer
	Maxie Smith	General Manager Business Excellence
	Debbie Branson	Executive Assistant
<b>Public</b>	As per Attendance Register	

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#### 1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

On behalf of Council, the Mayor acknowledged the Traditional Custodians of the land on which we meet. The Mayor also conveyed Council's respect to the Elders past, present and future for their continuing custodianship of the land and the children of the land across generations.

#### 2. OPENING OF THE MEETING

*The Mayor opened the meeting at 6:07pm*

The Mayor welcomed members of the public.

The Mayor advised that an audio and visual recording of the meeting was live streamed to Council's online platform and will remain online for public viewing in accordance with Council's Recording of Council Meetings Policy. By attending the meeting, those present agreed to comply by Council's Recording of Council Meetings Policy.

### **3. ELECTRONIC ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE**

#### **3.1 Electronic Attendance**

Moved: Deputy Mayor Mackay  
Seconded: Cr Harlan

THAT Council provides permission for Cr Sharp to attend the Council meeting electronically.

**CARRIED (6-0) ORD2023 11-050**

#### **3.2 Apologies**

Moved: Deputy Mayor Mackay  
Seconded: Cr Harlan

THAT Council note and approves apologies from Cr Wright.

**CARRIED (6-0) ORD2023 11-051**

#### **3.3 Leave of Absence Previously Granted**

Nil.

#### **3.4 Leave of Absence Request**

Nil.

### **4. DISCLOSURE OF INTEREST**

The Mayor advised that any member of Council who may have a conflict of interest, or a possible conflict of interest regarding any item of business to be discussed at a Council meeting or a Committee meeting should declare the conflict of interest to enable Council to manage the conflict in accordance with its obligations under the Local Government Act and its policies regarding the same.

#### **4.1 Elected Members**

No disclosures of interest declared.

#### **4.2 Staff**

No disclosures of interest declared.



## **5 PUBLIC QUESTIONS**

### **5.1 Cecelia Coleman – Parkin Road**

Ms Coleman attended the January 2023 Ordinary Council Meeting and as a result received the Roads Asset Management Plan, Sealing of Roads Policy and Driveways Crossover Policy. Ms Coleman was seeking clarification in regard to the terms used within the Capital Renewal Works Program and the Ten-Year Replacement Program. Ms Coleman advised the replacement program didn't include the upgrade of Parkin Road.

The question was taken on notice and the Chief Executive Officer offered to arrange a meeting with Ms Coleman separately with the infrastructure team.

### **5.2 Silke Maynard – Freds Pass Recreation Reserve**

Mrs Maynard raised the following questions via on-line and via email, and the answers are provided:

Why is Council proposing to reduce funding to Freds Pass Reserve below prior years funding and operational requirements and therefore driving the Not-For-Profit Organisation established to manage land on behalf of Council into financial strife?

*Council has increased funding to all reserves equally at 30%.*

Why would Council consider reducing funding to Freds Pass Reserve by 12% in 2023-24, when all other recreation reserves are receiving a genuine 30% increase on their 2022-23 funding?

*Freds Pass received an additional amount of funding above other reserves in 2022-23 of \$313,000. Only when considering this once off payment is there a reduction in the funding.*

Why, if the Mayor in his message on page 4 of said Draft Plan wants to foster a strong connection to community, is the Council proposing to reduce operational cost for community services by 17% compared to last year (includes Community Development, Library, Regulatory Services, Thorak), whilst operational expenses for Council Leadership increase by 12%?

*As part of the budget process, some misalignments of costs have been corrected and these should not be viewed in isolation. Council will continue to foster strong connections to the community while working toward efficiencies and budget savings as can be seen in the overall saving of 1% in operational expenditure year on year across the organisation.*

### **5.3 Shirley Preston – Freds Pass Show**

Ms Preston made a statement that the prosperity of the show depends on the overall health which included the Council in supporting the maintenance and management of the Freds Pass Reserve.

Mayor Barden thanked Ms Preston for her comments.



#### **5.4 Kevin Mulvahil – President Southern Districts Football**

Mr Mulvahil sought clarification about the obligations between the Council and the Freds Pass Recreation Reserve and an understanding of the budget.

The Chief Executive Officer provided a statement of the budget and adjustments.

#### **5.5 Shelly Barker – Southern Districts Cricket Club**

Mrs Barker spoke on behalf of the volunteers and Committee Members of not-for-profit organisations and their financial responsibilities. Mrs Barker encouraged Council to support the board and resolve the issues through regular productive meetings.

Mayor Barden thanked Mrs Barker for her comments.

#### **5.6 Kay Kendall – Freds Pass Recreation Reserve**

Ms Kendall questioned Council's knowledge regarding the attendance of Council's Observer at the monthly Freds Pass Recreation Reserve Board meetings. Ms Kendall advised that all information from the board is shared with the Council on a monthly basis. Ms Kendall also advised that an operational meeting is held with Council staff every two weeks. Ms Kendall recalled a request from the Freds Pass Recreation Board to fund new infrastructure to fix a major water leak to enable the board to focus on a community hall. The board was notified that this request was declined as it was deemed to be repairs and maintenance.

Ms Kendall emphasised that a lot of time has been spent with staff representing Council, maintaining communication and providing open information. Ms Kendall questioned why Council hasn't offered to meet to discuss delivering the budget for less money.

Councillor Harlan thanked everyone for their attendance. Councillor Harlan referred to the Local Government Act and legislation restricting Elected Members talking to staff regarding operational matters and reinstated members must communicate only with the Chief Executive Officer. Councillor Harlan encouraged everyone to contact their representatives, the Elected Members, through the mobile numbers or email address listed on the Council's website. Councillor Harlan added that information sent should not be confidential and referred to the Privacy Act.

Councillor Salter expressed his disappointment in the lack of communication to the Elected Members over the past three years.

#### **ORDER OF BUSINESS**

Moved: Deputy Mayor Mackay  
Seconded: Cr Harlan

THAT Item 13.01.03 Draft Municipal Plan 2023 – 2024 and Draft Long Term Financial Plan be brought forward for consideration.

**CARRIED (6-0) ORD2023 11-052**

### 13. OFFICERS' REPORTS

#### 13.01 Corporate and Community

##### 13.01.02 Draft Municipal Plan 2023-2024 and Draft Financial Management Strategy and Long-Term Financial Plan 2023-2024 to 2032-2033

Moved: Mayor Barden

Seconded: Cr Harlan

THAT Council:

1. adopt a financial reporting threshold of \$150,000 per capital project for the inclusion of major capital works report in the draft Municipal Plan 2023-24 in accordance with Guideline 5: Budgets as per Division 4, 8 (1) (d) *Local Government (General) Regulations 2021*;
2. endorse the draft Municipal Plan 2023-2024 as at Attachment A for the purposes of public exhibition and consultation;
3. advertise the draft Municipal Plan 2023-2024 as being available for public consideration, and invite public submissions during a period of 27 days from 2 May 2023 to 28 May 2023;
4. and endorse the draft Financial Management Strategy and Long-Term Financial Plan 2023-2024 to 2032-2033 as at Attachment B for the purposes of public exhibition and consultation;
5. advertise the draft Financial Management Strategy and Long-Term Financial Plan 2023-2024 to 2032-2033 as being available for public consideration, and invite public submissions during a period of 27 days from 2 May 2023 to 28 May 2023; and
6. authorise the Chief Executive Officer to make minor editorial changes to the documents, as necessary.

**CARRIED (6-0) ORD2023 11-053**

### 6 CONFIRMATION OF MINUTES

#### 6.1 Confirmation of Minutes

Moved: Cr Harlan

Seconded: Cr Sidey

THAT Council confirm the:

- Ordinary Council Meeting minutes held Tuesday 21 March 2023, 8 pages;
- Ordinary Confidential Council Meeting held Tuesday 21 March 2023, 2 pages as a true and accurate record of those meetings.

**CARRIED (6-0) ORD2023 11-054**



**6.2 Council Action Sheet / Business Arising from Previous Meetings**

Moved: Cr Sharp  
Seconded: Cr Harlan

THAT Council receive and note Item 6.2 within the Council agenda, Council Action Sheet / Business Arising from Previous Meetings.

**CARRIED (6-0) ORD2023 11-055**

**7. PETITIONS**

Nil.

**8. DEPUTATIONS AND PRESENTATIONS**

Nil.

**9. ACCEPTING OR DECLINING LATE ITEMS**

**9.1 Chief Executive Officer Performance Review Report**

Moved: Deputy Mayor Mackay  
Seconded: Cr Sharp

THAT the late report item 15.05 Chief Executive Officer Performance Review Report, be accepted and included under the confidential section for consideration.

**CARRIED (6-0) ORD2023 11-056**

**10. NOTICES OF MOTION**

Nil.

**11. MAYORS REPORT**

Moved: Mayor Barden  
Seconded: Cr Harlan

THAT Council receive and note Item 11.01 Mayor's monthly report for the period 22 March 2023 to 19 April 2023.

**CARRIED (6-0) ORD2023 11-057**

## **12. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES**

Moved: Deputy Mayor Mackay

Seconded: Cr Sharp

THAT Council note the verbal updates provided by the representative of the:

1. CEO Performance Appraisal and Remuneration Review;
2. Howard Park Reserve Committee Meeting;
3. Knuckey Lagoon Recreation Reserve Management Committee Meeting; and
4. Risk Management and Audit Committee Meeting.

*Cr Sharp left the meeting at 6:40pm.*

**CARRIED (5-0) ORD2023 11-058**

## **13. OFFICERS' REPORTS**

### **13.01 Corporate and Community**

*Cr Sharp returned to the meeting at 6:45pm.*

#### **13.01.01 Litchfield Council Finance Report – March 2023**

Moved: Cr Sidey

Seconded: Cr Salter

THAT Council note the Litchfield Council Finance Report for the period ended 31 March 2023.

**CARRIED (6-0) ORD2023 11-059**

#### **13.01.03 People Performance and Governance Monthly Report – March 2023**

Moved: Cr Harlan

Seconded: Cr Sharp

THAT Council note the People, Performance and Governance Report for March 2023.

**CARRIED (6-0) ORD2023 11-060**



**13.01.04 Budget Review Two – 2022/2023**

Moved: Cr Harlan  
Seconded: Deputy Mayor Mackay

THAT Council:

1. receive and note the report entitled Budget Review 2 - 2022/2023;
2. adopt Budget Review 2 – 2022/2023, pursuant to Section 203 of the *Local Government Act 2019*, amending Total Operational Income to \$20,746,144, and Total Operational Expenditure to \$16,978,422 and Total Capital Expenditure to \$11,945,026; and
3. adopt the Financial Reserve movement of \$6,671,159 for 2022/2023 consisting of:
  - a) Waste Management Reserve reduction of \$701,353;
  - b) Asset Reserve increase of \$7,399,647; and
  - c) Thorak Regional Cemetery reduction of \$27,135.

**CARRIED (6-0) ORD2023 11-061**

**13.01.05 FIN09 Risk Management and Audit Committee**

Moved: Mayor Barden  
Seconded: Cr Sidey

THAT Council adopt the draft policy FIN09 Risk Management and Audit Committee policy, as at Attachment A, and authorise the Chief Executive Officer to make minor amendments.

**CARRIED (6-0) ORD2023 11-062**

**13.02 Executive and Community Development**

**13.02.01 FAQ's Council Member Allowances – Remuneration Tribunal Determination**

Moved: Cr Sharp  
Seconded: Deputy Mayor Mackay

THAT Council receive and note the Frequently Asked Questions (FAQ's) sheet Council Member Allowances from 1 July 2023 as at Attachment A to the report.

**CARRIED (6-0) ORD2023 11-063**



**13.02.02 Howard Park and Knuckey Lagoon Recreation Reserves Committee Minutes**

Moved: Cr Salter  
Seconded: Cr Harlan

THAT Council receive and note:

1. the unconfirmed Howard Park Committee Minutes of 03 April 2023, at Attachment A; and
2. the unconfirmed Knuckey Lagoon Committee Minutes of 06 April 2023, at Attachment B.

**CARRIED (6-0) ORD2023 11-064**

**13.03 Infrastructure and Operations**

**13.03.01 Summary Planning and Development Report March 2023**

Moved: Deputy Mayor Mackay  
Seconded: Cr Salter

THAT Council:

1. receive the Summary Planning and Development Report March 2023; and
2. note for information the responses provided to relevant agencies within Attachments A to C of this report.

**CARRIED (6-0) ORD2023 11-065**

**13.03.02 Draft Guidelines for the Management of Human Remains**

Moved: Cr Harlan  
Seconded: Cr Sidey

THAT Council:

1. support the proposed draft *Guidelines for the Management of Human Remains*, at Attachment A; and
2. authorise the Chief Executive Officer to provide feedback to the Department of the Chief Minister and Cabinet.

**CARRIED (6-0) ORD2023 11-066**

### 13.03.03 Proposed Place Names – PA2015/0768 Subdivision Berry Springs

Moved: Deputy Mayor Mackay  
Seconded: Cr Harlan

THAT Council:

1. Support the proposed place names as per the below list:

	Preferred	Alternate
Road One	Lee Moyes Road	None provided
Road Two	William Road	None provided
Road Three	Beech Place	Green Plum Place

2. Provide a letter of support to the applicant and the Place Names Committee.

**CARRIED (6-0) ORD2023 11-067**

## 14. OTHER BUSINESS

**14.1 Cr Harlan – Freds Pass Reserve Meeting with Council** – referred to the Confidential Section

**14.2 Cr Salter – Humpty Doo Village Green** – referred to a Strategic Discussion and Briefing Session

*The meeting was adjourned at 7:20pm until 7:26pm.*

## 15. CONFIDENTIAL ITEMS

Moved: Deputy Mayor Mackay  
Seconded: Cr Harlan

THAT pursuant to Section 293(1) of the Local Government Act 2019 and Regulation 51 of the Local Government (General) Regulations the meeting be closed to the public to consider the following Confidential Items:

### 15.01 Confidential Council Minutes

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

8(d) information subject to an obligation of confidentiality at law, or in equity.

### 15.02 Appointment of Independent Member to the Risk Management Audit Committee

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

8(c)(iv) information that would, if publicly disclosed, be likely to subject to subregulation (3) - prejudice the interests of the council or some other person.



**15.03      Local Government – Compliance Review 2022 – Final Outcome Report**

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

8(a) information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

**15.04      Chief Executive Officers Performance Appraisal and Remuneration Review Committee Meeting Minutes – 29 March 2023**

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

8(a) information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

**15.05      Chief Executive Officer Performance Review Report**

This item is considered 'confidential' pursuant to Section 293(1) of the *Local Government Act 2019* and Section 51(1) of the *Local Government (General) Regulations 2021*:

8(a) information about the employment of a particular individual as a member of the staff or possible member of the staff of the council that could, if publicly disclosed, cause prejudice to the individual.

**CARRIED (6-0) ORD2023 11-068**

The meeting moved to Confidential Session at 7:28pm.

Moved:     Deputy Mayor Mackay  
Seconded: Cr Harlan

THAT pursuant to Section 293(2) of the *Local Government Act 2019* and Regulation 51 of the *Local Government (General) Regulations* the meeting be re-opened to the public.

**CARRIED (6-0) ORD2023 11-074**

The meeting moved to Open Session at 7:53pm.

**15.02 Appointment of Independent Member to the Risk Management Audit Committee**

Moved: Deputy Mayor Mackay  
Seconded: Cr Sharp

THAT Council:

1. appoints Greg Arnott as an independent member of the Risk Management and Audit Committee for a term of eight months, ending 31 December 2023; and
2. makes public the resolution from this report in the open minutes of the Council meeting.

**CARRIED (6-0) ORD2023 11-069**

**15.02 Local Government – Compliance Review 2022 – Final Outcome Report**

Moved: Cr Harlan  
Seconded: Cr Sidey

THAT Council:

1. consider the Compliance Review 2022 – Final Outcome Report, as at Attachment A;
2. approve the Chief Executive Officer to provide the Local Government Division, Department of the Chief Minister and Cabinet with elected member feedback; and
3. approve that this resolution be made public in the open minutes of the 24 April 2023 Ordinary Council Minutes.

**CARRIED (6-0) ORD2023 11-070**

**17. CLOSE OF MEETING**

The Chair closed the meeting at 7:54pm.

**18. NEXT MEETING**

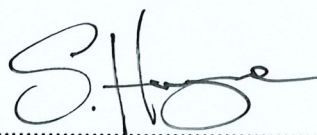
Tuesday 16 May 2023.

**MINUTES TO BE CONFIRMED**

Tuesday 16 May 2023.



Mayor  
Doug Barden



Chief Executive Officer  
Stephen Hoyne